PHILIP MORRIS MANAGEMENT CORP. **INTER-OFFICE MEMO**

120 PARK AVENUE, NEW YORK, N.Y. 10017-5592

TO: Distribution **DATE:** October 10, 1997

FROM: William F. Lynch III

RE: **Records Disposal Suspension Notice**

In connection with a recently filed lawsuit against the Company and others, alleging among other things price fixing, the Company is required to retain certain documents and things written or generated after January 1, 1996 (unless otherwise indicated) related to the pricing of cigarettes. The records, which are hereby placed under disposal suspension, include (1) all documents relating to dollar volume or share of retail or wholesale cigarette sales for individual cigarette brands and for all cigarette brands in the aggregate; (2) all documents relating to any meeting or communication between or among any tobacco manufacturer, Andalusia Distributing Company, Inc., or H.B. Paulk Grocery Company, Inc. with respect to any actual, proposed, suggested or recommended prices, price increases or decreases, price levels, discounts, special discounts, credits, rebates or other price-related terms of sale of cigarettes; (3) all documents submitted to or received from any trade association or other similar business association or council (or its representatives) relating to cigarette pricing or prices; (4) all documents prepared, dated and sent in 1997 consisting of or relating to price lists, price circulars, price change notifications or price announcements for cigarettes; (5) all documents relating to any cigarette price change or price change announcement in (a) March 1997 or (b) August-September 1997, or the reasons therefor; (6) all documents consisting of or relating to communications in 1997 between any tobacco manufacturer and its wholesalers, brokers, representatives, distributors or retailers servicing Alabama with respect to actual, proposed, suggested or recommended cigarette price increases or price levels; (7) all documents which study, analyze, review or compare the price or price relationship of different brands of cigarettes; and (8) all documents relating to the inelasticity or elasticity of demand for individual cigarette brands and for all cigarette brands in the aggregate. Some or all of those records also may be the subjects of prior disposal suspension notices, which remain in effect without change.

Please note that these disposal suspension requirements apply to all forms of records, including paper documents, computer-based electronic

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records (including computer disks and tapes), photographs, phono-records, and every other memorialization of information and other material related to the specified subjects. Such records must be retained whether or not they have been collected previously for litigation purposes (of course, all records previously collected and stamped by counsel are subject to disposal suspension).

Disposal-suspended records must not be disposed of or altered in any way, except as set forth below regarding electronic records. Paper records subject to disposal suspension should be maintained in their current form and arrangement. Disposal-suspended electronic records that are incapable of being printed must continue to be maintained in electronic form. All other electronic records (including e-mail) subject to disposal suspension should be retained by printing and retaining a paper copy only.

If you have any questions regarding this notice, please call me in New York (ext. 4019).

WFL/js

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